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PTO/SB/21 (08-00)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|   |   |                        |                    |
|---|---|------------------------|--------------------|
| Total Number of Pages in This Submission (excluding references) | 6 | Application Number     | 10/603,794         |
|   |   | Filing Date            | June 25, 2003      |
|   |   | First Named Inventor   | Syed F.A. Hossainy |
|   |   | Group Art Unit         | 1762               |
|   |   | Examiner Name          | Unassigned         |
|   |   | Attorney Docket Number | 50623.221          |

## ENCLOSURES (check all that apply)

|   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Deposit Account 07-1850 Authorization<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Postage Paid Postcard<br><input checked="" type="checkbox"/> Information Disclosure Statement (in duplicate) (2 pages) with Form PTO-1449 (1 pg) citing 4 References<br><input type="checkbox"/> Request for Corrected Notice of Recordation<br><input type="checkbox"/> Recordation Form Cover Sheet<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s) In/Formal ___ Sheets with Submission of Drawings Transmittal<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) ____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) 4 References |
| Remarks<br><div style="border: 1px solid black; height: 100px; width: 100%;"></div>   |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |   |  |  |
|-------------------------|---|--|--|
| Firm or Individual name | Squire, Sanders & Dempsey L.L.P.<br>Paul J. Meyer, Jr., Reg. No. 47,791 |  |  |
| Signature               |   |  |  |
| Date                    | April 29, 2005  |  |  |

## CERTIFICATE OF MAILING

|   |             |      |                |
|---|-------------|------|----------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: April 29, 2005 |             |      |                |
| Typed or printed name   | Vera Breder |      |                |
| Signature   |             | Date | April 29, 2005 |

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Syed F.A. Hossainy et al.  
 Examiner: Unassigned  
 Serial No. 10/603,794      Art Unit: 1762  
 Filed: June 25, 2003  
 Title: THERMAL TREATMENT OF A DRUG ELUTING IMPANTABLE MEDICAL DEVICE

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Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. §§1.97-1.98

Dear Examiner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicants hereby notify the U.S. Patent and Trademark Office of the references listed on the attached Form PTO-1449. One copy of the cited references is submitted herewith. The Examiner is requested to make this information of official record in the application.

Some of the documents listed on the attached Form PTO-1449 were cited in an International Search Report mailed on December 30, 2004 (copy attached), directed to an international application. One of the references cited by the Report, WO 03/022323, is already of record.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute the listed documents as prior art during examination. Furthermore, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Supplemental Information Disclosure Statement is not to be

construed as a representation that a search has been made or that no other material information may exist.

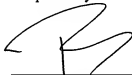
The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Supplemental Information Disclosure Statement is being filed before receiving the first Office Action. Therefore, no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required. However, the Commissioner is authorized to charge any deficiencies or other amounts due to Deposit Account No. 07-1850.

Date: April 29, 2005

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Respectfully submitted,



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| <b>FORM PTO-1449 (Modified)</b> US DEPARTMENT OF COMMERCE<br>US Patent and Trademark Office  |          |  |                        | Docket No.<br><b>50623.221</b> |       | Application No.<br><b>10/603,794</b> |                               |    |
|--|----------|--|------------------------|--------------------------------|-------|--------------------------------------|-------------------------------|----|
| <b>INFORMATION DISCLOSURE CITATION</b><br><b>in an Application</b><br>(Use several sheets if necessary)  |          |  |                        |                                |       |                                      |                               |    |
| Filing Date<br><b>June 25, 2003</b>  |          |  |                        | Group Art Unit<br><b>1762</b>  |       |                                      |                               |    |
| <b>U.S. PATENT DOCUMENTS</b>   |          |  |                        |                                |       |                                      |                               |    |
| Examiner<br>Initial  | Ref. No. | Document<br>Number   | Date of<br>Patent      | Name                           | Class | Subclass                             | Filing Date If<br>Appropriate |    |
|  | A1       |  |                        |                                |       |                                      |                               |    |
|  | A2       |  |                        |                                |       |                                      |                               |    |
|  | A3       |  |                        |                                |       |                                      |                               |    |
|  | A4       |  |                        |                                |       |                                      |                               |    |
|  | A5       |  |                        |                                |       |                                      |                               |    |
|  | A6       |  |                        |                                |       |                                      |                               |    |
| <b>U.S. PATENT APPLICATION PUBLICATION DOCUMENTS</b>   |          |  |                        |                                |       |                                      |                               |    |
| Examiner<br>Initial  | Ref. No. | Document<br>Number   | Date of<br>Publication | Name                           | Class | Subclass                             | Filing Date If<br>Appropriate |    |
|  | A1       |  |                        |                                |       |                                      |                               |    |
| <b>FOREIGN PATENT DOCUMENTS</b>  |          |  |                        |                                |       |                                      |                               |    |
| Examiner<br>Initial  | Ref. No. | Document<br>Number   | Date of<br>Publication | Country                        | Class | Subclass                             | Translation                   |    |
|  |          |  |                        |                                |       |                                      | Yes                           | No |
|  | B1       | WO 02/058753   | 8/1/02                 | PCT                            |       |                                      |                               |    |
|  | B2       | WO 03/035131   | 5/1/03                 | PCT                            |       |                                      |                               |    |
|  | B3       | WO 03/082368   | 10/9/03                | PCT                            |       |                                      |                               |    |
| <b>OTHER DOCUMENTS</b> (Including Author, Title, Date, Pertinent Pages etc.)   |          |  |                        |                                |       |                                      |                               |    |
|  | C1       | International Search Report and Written Opinion for PCT/US2004/017060, filed 5/28/04, mailed 12/30/04, 10 pgs. |                        |                                |       |                                      |                               |    |
| EXAMINER<br>/Cachet Sellman/   |          |  |                        | DATE CONSIDERED<br>05/05/2008  |       |                                      |                               |    |
| EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.<br>Include copy of this form with next communication to applicant. |          |  |                        |                                |       |                                      |                               |    |